

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

CYMEYON HILL,

Plaintiff,

v.

SACRAMENTO COUNTY,

Defendant.

No. 2:20-CV-1477-DMC

**ORDER**

Plaintiff, a civil detainee proceeding pro se, brings this civil rights action pursuant to 42 U.S.C. § 1983. On September 30, 2020, the Court granted Plaintiff's request to proceed in forma pauperis and directed monthly payments be made from Plaintiff's prison account. See ECF No. 7. However, the Court made a clerical error in referring to plaintiff as a "prisoner" instead of a "civil detainee." See ECF No. 7. Because Plaintiff is not in fact a prisoner, the related provisions of the Prison Litigation Reform Act (PLRA) are inapplicable, and Plaintiff is not required to make monthly payments. See 28 USCS § 1915; also Page v. Torrey, 201 F.3d 1136, 1138-40 (9th Cir. 2000). Additionally, the Court notes that Plaintiff has submitted the affidavit required by 28 U.S.C. § 1915(a) showing that Plaintiff is unable to prepay fees and costs or give security therefor.

///

///

Accordingly, IT IS HEREBY ORDERED that:

1. The Court's order directing monthly payments from Plaintiff's prison account (ECF No. 7) shall be vacated; and

2. Plaintiff's motion for leave to proceed in forma pauperis (ECF No. 5) is nonetheless granted.

Dated: October 19, 2020



DENNIS M. COTA  
UNITED STATES MAGISTRATE JUDGE